

Rural Municipality of Kingston

Regular Monthly Meeting May 12, 2020

Emyvale Recreation Center (Deck) at 7 PM

Present:

Chair Alan Miller
Joe Dolphin
Dwight Thompson
Tom Coady
Keith Boire
Darlene MacDonald
Alan Holmes

Administrator Dianne Dowling

Meeting called to order at 7:04 PM.

1. Approval of Agenda:

Motion

“to Approve the Agenda as circulated” (M) Joe Dolphin (S) Dwight Thompson, Motion carried

2. Approval of Minutes of October, November, December, January, February, March and April meeting’s:

Motion:

“To approve the package of minutes circulated” (M) Darlene MacDonald (S) Joe Dolphin, Motion carried.

3. BUSINESS ARISING FROM PREVIOUS MINUTES:

- 1. Spa Amendment:** No reply from the Province
- 2. Signage:** Signs ordered for delivery in the Spring/Summer

4. FINANCE REPORT:

1. Administrator has contacted the Auditors and is getting the paperwork ready to be dropped off. There is an indication that the deadline for Financial Statements will be extended by the Province, however this is not confirmed yet.
2. Councilor Thompson updated on the Fiber Op project. He noted it has been determined that the Municipality is not responsible for the HST. He also indicated that Bell has requested a letter of support from the Community for the continuation of the fiber op on the Colville Road and the Riverdale Road. He further confirmed this was just a support letter not a request for further funding. Councilor Dolphin raised the concern that Kingston is contributing to this service however neighbouring communities are not. Councilor

Thompson replied that while that is the case Kingston is only contributing to extend the service where if not for the additional funding this service would not be provided.

5. COMMUNITY PLANNING:

1. Application for one (1) lot subdivision 757 Peters Road (no new updates)
2. Application for three (3) lot subdivision Catherine Chaisson (No new update)
3. Subdivision application Colville Road – PID # 1070929

Memo on this application circulated by Administrator identifying the issues related to the SPA regulations concerning this application.

“Background:

This property is in the SPA (Special Planning Area) Rural East Zone.

This Parcel was subdivided in 2012 from PID # 226712 file # 04-2012 and a permit was issued to construct a single-family dwelling file # 09-2012

Therefore, PID # 1070929 is not an “existing lot” as of July 9, 1994 and therefore can not be further subdivided based on the Official Plan policy PR-01, below:

POLICIES:

“Policy PR-1: Zoning

It shall be the policy of Council to establish two Rural Zones in the Community and to permit restricted residential development within those zones. All unserviced (on-site) residential development shall occur in the Rural Zones and shall conform to the policies set out in Section 63 (10) of the Charlottetown Region Special Planning Area Regulations (SPA Regulations) with one exception. In the Rural West Zone the definition of “existing Parcel” shall be interpreted to be a parcel of land held in separate ownership as of the date of approval of the new bylaw. Selective centrally serviced residential subdivisions may be approved where they comply with the provisions of the SPA Regulations and where Council agrees to take ownership of at least one central service (sewer or water). The design and development of these larger subdivisions shall be certified to be sustainable by a licensed professional approved by Council and the net impact of the development shall not, in the opinion of Council, detract from the rural character of the area. Council may also require that a significant portion of the lands to be subdivided by retained as open space and that substantial buffers are provided between these developments and any adjacent residential development.

Plan Action:

- The Zoning and Subdivision Control Bylaw will establish two Rural Zones.
- The boundaries of these zones will conform to the boundaries of that portion of the Charlottetown Region Special Planning Area as it exists within the boundaries of the Community of Kingston.
- All unserviced residential development shall take place in the Rural East Zone in conformance with the policies as established under the

Charlottetown Region Special Planning Area Regulations. Accordingly, no more than five (5) lots may be created from any parcel which was legally “existing” as of July 9, 1994. In the Rural West Zone, no more than five (5) lots may be created from any parcel which was legally “existing” as of the date of approval of the Bylaw.”

Motion:

“Based on policy PR-01 Zoning in the Rural Municipality of Kingston Official Plan around the SPA this application is denied” (M) Joe Dolphin (S) Dwight Thompson, Motion carried

4. *Request from Jamie Gallagher to establish a home-based business involving a commercial kitchen in his renovated garage in the Kingswood subdivision. Council discussed this application and noted that providing that Mr. Gallagher follow the Bylaws section 3.40 concerning home based business cited below:*

“3.40 BUSINESSES IN RURAL ZONES – IN HOME OCCUPATIONS”

Where a residential property is used for domestic and household arts, or Business and Professional Offices in a Rural Zone, the following Development standards shall apply:

- (i) the Dwelling shall be occupied as a residence by the principal operator and the external appearance of the Dwelling shall not be changed by the business Use.
- (ii) there shall be no more than two non-resident assistants employed in the Business or Professional Office or the domestic and household arts carried on.
- (iii) not more than 25% of the total Floor Area of the Dwelling shall be occupied by the Business or Profession Office or domestic and household arts use.
- (iv) adequate off-street Parking, in accordance with this Bylaw, separate from that required for the Dwelling, shall be provided.
- (v) there shall be no open storage or display area.
- (vi) premise signs shall be restricted to a maximum of 400 square inches in total.
- (vii) domestic and household arts shall include:
 - (a) Dressmaking and tailoring
 - (b) Hairdressing
 - (c) Instruction in the arts (music, dance, etc.)
 - (d) Arts and crafts, woodworking, weaving, painting, sculpture, and repair of garden or household ornaments, personal effects or toys
 - (e) A Photographic Studio

(f) Such other uses as Council deems appropriate”

Council also wished to add the following conditions to the approval:

1. Additional traffic be limited to what would be expected in a residential area;
2. The appearance of the property retains the residential appearance;
3. There is no impact to the neighbouring properties; and
4. This “use” complies with any covenants that may exist in the Kingswood subdivision.

Motion:

To approve this home-based business providing the applicant follows all the conditions in the Kingston Bylaw section 3.40 and the additional conditions referred to above.” (M) Joe Dolphin (S) Keith Boire, Motion carried.

OTHER BUSINESS:

1. Councilor Boire indicated the generator should be up and running shortly. The Administrator indicated the insurance coverage has been updated to include the generator. Councilor Boire indicated that once the building has fiber op the generator will be able to be operated remotely, which should cut down on the demand for propane.
2. The Mayor indicated that the next project would be to contact the 4-H club and arrange for a similar situation. Also discussed that since stove has been removed from the 4-H building the generator may not need to have the capacity of the one in Emyvale.
3. **OFFICIAL PLAN:** Circulated copy digitally next step would be to engage a Planner to review.
4. **Summer Student:** No update
5. **Ball Diamond:** No update.

Being no further business meeting adjourned at 7:50 PM by Keith Boire.

Submitted,

Dianne Dowling, Administrator